IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4028 of 2005

Between:

K. Sumathi Devi, W/o. John Babu,
Indian Armed Force, R/o. Khammam.

..... PETITIONER

AND

The Director (P.A.W.), Singareni Colleries Limited, Kothagudem,
Khammam District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction especially one in the nature of Writ of Mandamus declaring Ref.No. CRP/PER/PM/3294/2028 Dated 14-10-2004 rejecting the case of the Petitioner for granting advance increments in terms of G.O.Ms.No. 67 dated 20-03-1986 is therefore illegal, arbitrary and discriminatory violative of Article 14 and 16 of the Constitution of India and further declare that Petitioner is entitled for extension of benefit of G.O.Ms.No. 67, dated 20-03-1986 and pass such order or orders.

Counsel for the Petitioner: MR.M.SURENDER RAO

Counsel for the Respondent: MR.N.KRISHNA RAO

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed to declare Ref.No.CRP/PER/PM/3294/2028 dated 14-10-2004 issued by the respondent, rejecting the case of the petitioner for granting advance increments in terms of G.O.Ms.No.67, dated 20-03-1986, as arbitrary and illegal.

Heard learned counsel for the petitioner and learned counsel appearing for the respondent.

The case of the petitioner was rejected stating that the provisions of G.O.Ms.No.67, dated 20-03-1986, are not applicable to the posts in respondent-Corporation, being the State Government Undertaking, and the case of the petitioner was governed by the wage structure and service conditions under the National Coal Wage Agreement which are applicable to the persons employed in Coal Industry.

Therefore, the order under challenge does not suffer from any incurable legal infirmity so as to call for interference by this Court. Even in the affidavit, it is not stated that the said G.O is adopted by the respondent.

Hence, the writ petition is devoid of merits and is accordingly dismissed. There shall be no order as to costs.

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02-03-2005

vs

To

1 The Director (P.A.W.), Singareni Colleries Limited,

Kothagudem, Khammam District.

2 2 CD copies

3 1 CC to MR.NANDIGAM KRISHANA RAO

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 4028 of 2005

Dated: 02-03-2005

vs